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Ex Parte Memorandum

Marlene H. Dortch, Secretary
Federal Communications Commission
445 – 12th Street, S.W., Room TW-A325
Washington, DC 20554

Re: Paging Coalition and American Association of Paging Carriers
Request for Declaratory Ruling that Termination by Verizon of
Type 3A Interconnection Service Would Be Unjust and Unreasonable,
in Violation of Section 201 of the Communications Act, 47 U.S.C.
§201, and Otherwise Unlawful, CC Docket No. 01-346

Dear Ms. Dortch:

Today the undersigned had a telephone conference concerning the above-referenced proceeding with Mr. Steve Morris, Deputy Chief, Pricing Policy Division, Wireline Competition Bureau. During the conference I reviewed the background of the proceeding with Mr. Morris, noting that Verizon's determination to continue its Type 3A offering to paging carriers effectively defused the immediate controversy which led to the filing of the petition, notwithstanding that it did not moot the petition as a matter of law. I further explained that Qwest recently announced that it was planning to terminate the same offering to paging carriers (which it labels "Wide Area Calling" service or "WAC"), but had similarly reversed its position and agreed to continue the offering as a result of discussions initiated by co-petitioner AAPC and affected carriers. As a result, all four of the RBOCs today are continuing to provide this service to paging carriers, albeit under different names.

I further advised Mr. Morris, however, that Alltel Corporation did in fact recently terminate its offering (which it calls "Reverse Toll Billing" or "RTB"), despite protests by affected carriers and AAPC, and that as a practical matter it had refused to even discuss the matter with AAPC representatives, despite repeated attempts by them to initiate such discussions. The "Reverse Toll Billing" offering that Alltel has unilaterally terminated is the same offering in all material respects as the "Type 3A" offering Verizon threatened to terminate, leading to the above-referenced proceeding. Accordingly, the legal issues raised by Alltel's termination have already been fully briefed in the record; and Alltel's termination of its essentially identical "RTB" offering to AAPC members creates a live and continuing controversy which the Commission should resolve by ruling on the petition herein.

Marlene H. Dortch
December 19, 2003
Page Two

It was therefore determined as a result of the telephone conference that the petitioners would file a further supplement to the pending petition formally advising the Commission of Alltel's termination of its "RTB" offering to paging carriers, and requesting that the Commission issue a ruling on the petition in light of Alltel's termination.

Should there be any questions concerning this filing, kindly contact the undersigned directly.

Very truly yours,

s/Kenneth E. Hardman

Kenneth E. Hardman

Attorney for Petitioners

cc: Mr. Steve Morris
Mr. David C. Bartlett